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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA

Plaintiff,

vs.

BRIAN SCARBOROUGH,

Defendant.

Case No. 2:19-cr-00133-APG-VCF

**Stipulation to Continue Sentencing
(First Request)**

It is stipulated and agreed, by and between Jason M. Frierson, United States Attorney, Melanee Smith, Assistant United States Attorney, counsel for the United States of America, and Chris Mishler, counsel for defendant Brian Scarborough, that the sentencing scheduled in this matter for December 28, 2022, be vacated and continued for a period of 30 days. This stipulation is entered into for the following reasons:

1. The United States Department of Probation informed the parties it needs additional time to interview the defendant in order to properly prepare a Pre-Sentence Investigation Report.

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2. The parties agree to the continuance;
3. Defendant is currently in custody and does not object to the continuance;
4. The parties are continuing to work on, and gather materials relating to sentencing;
5. This is the first request for continuance.

DATED this 15th day of November 2022.

JASON M. FRIERSON
United States Attorney

/s/ Melanee Smith
Melanee Smith
Assistant United States Attorney

/s/ Chris Mishler
Chris Mishler, Esq.
Counsel for Defendant

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA

4 Plaintiff,

5 vs.

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7 Defendant.

Case No. 2:19-cr-00133-APG-VCF

Order to Continue Sentencing

(First Request)

8 **I. Findings of Fact**

9 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
10 Court finds:


- 11 1. The United States Department of Probation informed the parties it needs additional
12 time to interview the defendant in order to properly prepare a Pre-Sentence
13 Investigation Report.
- 14 2. The parties agree to the continuance;
- 15 3. Defendant is currently in custody and does not object to the continuance;
- 16 4. The parties are continuing to work on, and gather materials relating to sentencing;
- 17 5. This is the first request for continuance.

18 **II. Order**

19 It is ordered the sentencing currently scheduled for December 28, 2022, be
20 vacated and continued to February 1, 2023, at the hour of 9:00 am. in Courtroom 6C.

21 IT IS SO ORDERED.

22 Dated: November 16, 2022

23 
24 THE HONORABLE ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE